

## **2005 DRAFTING REQUEST**

### **Bill**

Received: **07/08/2005**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Luther Olsen (608) 266-0751**

By/Representing: **Jennifer Kammerud**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - sch. dist. reorg.**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Sen.Olsen@legis.state.wi.us**

Carbon copy (CC:) to:

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### **Pre Topic:**

No specific pre topic given

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### **Topic:**

School district reorganization orders; mailing requirements

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 07/25/2005	lkunkel 08/09/2005					State
/1			rschluet 08/09/2005		lnorthro 08/09/2005	lnorthro 08/29/2005	

FE Sent For:

<END>

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/?	pgrant	1/mk 8/9					

FE Sent For:

<END>

DEPARTMENT OF PUBLIC INSTRUCTION  
2005 LEGISLATIVE SESSION

STATUTORY LANGUAGE CHANGE PROPOSAL

A QUALITY  
EDUCATION  
FOR  
EVERY  
CHILD



**Subject:** CHANGE MAILING REQUIREMENTS—SCHOOL DISTRICT REORGANIZATION ORDERS

**Agency Contact:** Jennifer Kammerud (266-7073)

3328

**Description of Intent/Comparison to Current Law:**

Current law requires that if a resolution or order filed with the School District Boundary Appeal Board (SDBAB) affirms or grants a reorganization or resolves a boundary dispute, within five days after receipt of the resolution or order, the secretary of the SDBAB must send, by certified mail, a certified copy of the resolution or order to the clerk of each city, village, town or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute. Although not required under current law, the department also sends a copy of resolutions or orders, by regular mail, to the school district administrators and school district board clerks of the affected school districts as well as to the petitioner(s).

This proposal would change the mailing requirements as follows:

- A certified copy of the resolution or order would be sent, by certified mail, to: (1) school district administrators of the affected school districts, (2) school district board clerks of the affected school districts, (3) the clerk of the municipality in which the property is located, and (4) the petitioner(s).
- A certified copy of the resolution or order would be sent, by regular mail, to the clerk of each city, village, town or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute.

The proposal ensures that the department would have a record that certified copies of the resolution or order had been received by the school districts involved, the municipality in which the property is located and the petitioner(s). Notices to the clerks of municipalities that are within an affected school district, but do not contain the property, as well as notices to county clerks, are considered courtesy copies. Mailing these notices by regular mail rather than certified mail seems reasonable and adequate.

The proposal would reduce costs and staff time associated with certified mailings. The average cost of each certified mailing is \$4.00. Total cost in FY04 of doing the certified mailings, as required by current law, was approximately \$1200 and 15 hours of staff time. It is estimated that by requiring certified mailing only as indicated above, and by sending the other notices by regular mail, department expenses could be decreased significantly, and support staff time could be redirected to other tasks. For example, it is estimated that approximately \$900 would have been saved in FY04 if the proposal had been in effect during that year, and staff time would have been reduced as well.

**Action in Previous Legislation:**

No similar proposals have been introduced in previous legislative sessions.

**Related Stat. Citations:**

s. 117.17 (2), Wis. Stats.

**Requested Effective Date:**

Upon passage.

## Grant, Peter

**From:** Kammerud, Jennifer DPI  
**Sent:** Thursday, July 21, 2005 7:51 AM  
**To:** Grant, Peter  
**Cc:** Smith, Heather; Kane, Elizabeth E DPI  
**Subject:** Changing Mailing Requirements - School District Reorganization Orders

Peter,

While I am on vacation this week, I did have a chance to talk further with our staff about the mailing requirement change we spoke about last week. What we would like to do is change the mailing requirement as follows:

A certified copy of the resolution or order would be sent by certified mail to only the following: 1) school district board clerks of the affected school districts, 2) the clerk of the municipality in which the property is located, and 3) the county clerk.

I hope this clarifies the issue. I will be back in the office on Monday if you need to reach me. I do want to take this opportunity to thank you for your help and insights on this issue.

- Jennifer

Jennifer Kammerud  
Legislative Liaison  
Department of Public Instruction  
125 South Webster Street  
Madison, WI 53707  
Ph: 608/266-7073  
E-mail: jennifer.kammerud@dpi.state.wi.us

re certificate mail

1. re 2 & 3 : what does "in which the property is located" mean? That works for det. & attach of territory (117.12, 117.13, 117.132, 117.35) but not  
det. & att.      terr. annex      bound-  
dispute  
for 117.10 (dissolution) or 117.105 (ex. new rule)

2.

also .. still want reg. mail provisions (as under current law)?

## Grant, Peter

---

**From:** Grant, Peter  
**Sent:** Thursday, July 21, 2005 10:07 AM  
**To:** Kammerud, Jennifer DPI  
**Cc:** Smith, Heather; Kane, Elizabeth E DPI  
**Subject:** RE: Changing Mailing Requirements - School District Reorganization Orders

Jennifer, I still have a couple of questions. I'm not sure what you mean by "in which the property is located," which I assume applies to both (2) and (3) below. I assume you mean the "territory" in sections 117.12 and 117.13 (detachment and attachment of territory), 117.132 (annexation of territory), and 117.135 (boundary disputes). But what territory do you mean under sections 117.10 (dissolution) and 117.105 (creation of school district)?

Second, I'm assuming, although you don't say below, that you still want regular mail notices for the clerk of each city, village, town or county contained within an affected school district or within an interested school district (in the case of a boundary dispute). Is that correct?

Peter

-----Original Message-----

**From:** Kammerud, Jennifer DPI  
**Sent:** Thursday, July 21, 2005 7:51 AM  
**To:** Grant, Peter  
**Cc:** Smith, Heather; Kane, Elizabeth E DPI  
**Subject:** Changing Mailing Requirements - School District Reorganization Orders

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I hope this clarifies the issue. I will be back in the office on Monday if you need to reach me. I do want to take this opportunity to thank you for your help and insights on this issue.

- Jennifer

Jennifer Kammerud  
Legislative Liaison  
Department of Public Instruction  
125 South Webster Street  
Madison, WI 53707  
Ph: 608/266-7073  
E-mail: jennifer.kammerud@dpi.state.wi.us

117.08 consolidation  
sch. bds adp. rep.  
" " may order  
may be ref.  
ref ↑, sch bds make a file order

Mrs  
① certificate made to the clerk of  
court return in which prop is because  
in-laws' countries?  
what property? ditto  
How? this reg. mail  
from prop. 102?

det & att of m. terr-initiated by owner  
117.12

117.12 det & att of sm. terr.

a majo. of the electors residing in the terr. or  
the owner of at least 5% of terr. may  
appeal to SDBAB

117.13 det & att of m. terr.  
Same as 117.12

117.15 (Dissolution)

SDBAB reviews, but are  
no "petitioners"

117.11 det & att of large terr.  
no appeal to SDBAB

117.105 (CR of new sd)

SDBAB review if petition  
signed by at least 15% of electors

117.08 consol. up.  
no appeal to SDBAB

117.05 const. up.  
no appeal to SDBAB

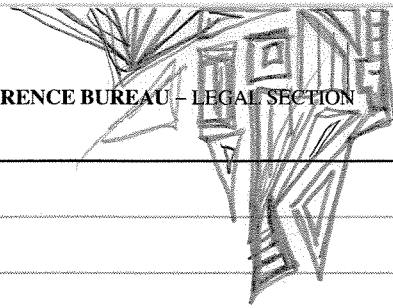
117.132 (terr. annexation)

affected sd may request  
SDBAB to review or

117.35 (boundary disputes)  
either of sd's may request review

owner of sd & one of  
terr may petition to review





7/25/05

TC w/ Liz KANE, DPI 62803

leave current law as is except

for ss. 117.12 & 117.13

→ cert. mail to:

clerk of city, vill, or town in  
which any portion of terr. is located  
clerk of county in which any  
portion of alt. rd. is located

2005

Date (time)  
needed

8/10

LRB - 3328/1

PG: Ink:

# BILL

Use the appropriate components and routines developed for bills.

AN ACT ... *Cancel* [generate catalog] *to repeal* ... ; *to renumber* ... ; *to consolidate and renumber* ... ; *to renumber and amend* ... ; *to consolidate, renumber and amend* ... ; *to amend* ... ; *to repeal and recreate* ... ; and *to create* ... of the statutes; relating to: *mailing of copies of school district reorganization orders issued by the School District Boundary Appeal Board.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

## Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text

*attached/  
analysis  
insert*

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION #.

✓  
renumbered 117.17(2) (Intro.) and  
Section #. 117.17 (2) of the statutes is amended to read:

(Intro.)  
117.17 (2) FILING. A certified copy of any resolution or order granting, affirming or denying a reorganization or resolving a boundary dispute shall be filed, within 5 days after it is adopted or issued, with the secretary of the board. Upon receipt of the resolution or order, the secretary of the board shall immediately place on it the date upon which it was received. If the resolution or order affirms or grants a reorganization or resolves a boundary dispute, within 5 days after receipt of the resolution or order the secretary of the board shall <sup>plain</sup> send, ~~by certified mail~~, a certified copy of the resolution or order to the clerk of each city, village, town, or county, any part of which is contained within an affected school district, or any part of which is contained within an interested school district if the resolution or order resolves a boundary dispute.

History: 1989 a. 114; 1993 a. 392; 1997 a. 286; 1999 a. 18.

delete the following:

§ (a) Except as provided in para (b), the

If the order is issued under 117.12 or 117.13, the

SEC. # CR; 117.17 (2) (b)

117.17 (2) (b) = ~~by certified mail a certified copy of the resolution or order to all of the following:~~

1. the clerk of each city, village, or town in which any part of the territory is located, and  
2. the school district clerk of each affected school district.

3. the clerk of each county in which any part of an affected school district is located.

2005

Nonstat File Sequence: **E E E**

LRB \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**INITIAL APPLICABILITY**

1. In the component bar:

For the action phrase, execute: ..... create → action: → \*NS: → inappl

For the budget action phrase, execute: ..... create → action: → \*NS: → 93XX

For the text, execute: ..... create → text: → \*NS: → inappl

2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

**SECTION #** \_\_\_\_ **[93** \_\_\_\_ **].** Initial applicability; .....

( #1 ) ( ) .....

The treatment of sections ..

of the statutes

first applies to .....

1. In the component bar:

For the action phrase, execute: ..... create → action: → \*NS: → inappl

For the text, execute: ..... create → text: → \*NS: → inapplA

2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . Initial applicability; .....

( #1 ) ( ) reorganization orders issued. This act first

applies to reorganization orders issued by the school district  
boundary appeal board under section 117.12 or

117.13 of the statutes on the effective date of this

subsection 0

(End)

Analy is  
insert

§ Under current law,  
Under current law, ~~send~~ the  
School District Boundary Appeal Board <sup>(SDBAB)</sup> must  
send a certified copy of any resolution or  
order that grants, ~~or~~ affirms, or denies  
a reorganization or resolves a boundary  
dispute, <sup>certified mail</sup> by certified mail, to the clerk of  
each city, village, town, or county, any part  
of which is <sup>contained</sup> within an affected  
school district, or <sup>for boundary disputes</sup> any part of which is  
contained within a school district  
involved in the dispute.  
involved in the dispute.

§ Under this bill, <sup>reorganizations</sup> for reorganizations  
that involve the detachment <sup>from one school district and the</sup> attachment to  
another school district  
of small territory (territory that constitutes

~~assessed value~~  
less than 7 percent of the equalized value  
less than 7% of the equalized value  
of the former school district) ; the SDBAB  
must send a certified copy of the  
must send a ~~certified~~ copy of the  
certified mail;  
order ; by certified mail, to the clerk of  
each city, village, or town in which any  
is located ; and to the  
part of the territory is located, and to the  
clerk of each county any part of  
clerk of each county in which any part of  
affected school district  
an affected school district is located.

FE-5

end of insert

**Northrop, Lori**

---

**From:** Smith, Heather  
**Sent:** Monday, August 29, 2005 1:11 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-3328/1 Topic: School district reorganization orders; mailing requirements

It has been requested by <Smith, Heather> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-3328/1 Topic: School district reorganization orders; mailing requirements